

Below is the Order of the Court.




Marc Barreca
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In re)	Case No. 14-15003-MLB
)	
SAM A. ADAMS and ERIKA M. ADAMS)	ORDER ON MOTION FOR ADEQUATE
13245 Holmes Pt. Dr. N.E.,)	PROTECTION [ECF Docket No. 21]
Kirkland, WA 98034)	
)	
Debtor.)	
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THIS MATTER coming on for hearing on August 7, 2014 on H-P Properties/All Star, LLC's Motion for Adequate Protection [ECF Docket No. 21],

It is now ORDERED as follows:

1. H-P Properties/All Star, LLC's Motion for Adequate Protection [ECF Docket No. 21] is hereby granted.

2. No later than **August 12, 2014**, the Debtors-in-Possession (hereafter referred to as "Debtors") shall pay H-P Properties/All Star, LLC the sum of \$131,013.45 for July 2014 base rent (\$110,000), July 2014 real estate tax installment due (\$15,492.48) and July 2014 insurance

ORDER ECF Docket No. 21 - 1

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premium due (\$5,521.17), by Cashier's Check payable to H-P Properties/All Star, LLC and/or Cash to be personally delivered to it at its office or to the Office of Oseran Hahn, P.S., 10900 NE 8th St. #1430, Bellevue, WA 98004 (to the attention of David Tall or Amy MeHarry). Should the Debtors fail to make such payment by 4:30 pm on such date, H-P Properties/All Star, LLC hereby is granted the authority to file a Declaration with the Court certifying that it has not been received.

Upon the Application of H-P Properties/ All Star, LLC the Court will grant a hearing for relief from stay on shortened time, of no less than three (3) days, with the issues to be limited to compliance with this order and the consequences of non-compliance.

3. No later than **August 19, 2014**, the Debtors shall pay H-P Properties/All Star, LLC the sum of \$131,013.45 for July 2014 base rent (\$110,000), July 2014 real estate tax installment due (\$15,492.48) and July 2014 insurance premium due (\$5,521.17), by Cashier's Check payable to H-P Properties/All Star, LLC and/or Cash to be personally delivered to it at its office or to the Office of Oseran Hahn, P.S., 10900 NE 8th St. #1430, Bellevue, WA 98004 (to the attention of David Tall or Amy MeHarry). Should the Debtors fail to make such payment by 4:30 pm on such date, H-P Properties/All Star, LLC hereby is granted the authority to file a Declaration with the Court certifying that it has not been received.

Upon the Application of H-P Properties/ All Star, LLC the Court will grant a hearing for relief from stay on shortened time, of no less than three (3) days, with the issues to be limited to compliance with this order and the consequences of non-compliance.

4. Commencing in September 2014, and for each month thereafter until the Debtors either assumes or rejects the subject unexpired lease, the Debtors shall pay H-P Properties/All Star, LLC the monthly base rent of \$110,000, plus the real estate tax installment due of \$15,492.28 and insurance premium due of \$5,521.17, with bankable funds collectible by its bank no later than the 10th of such month in which such payment is due. Should Debtors fail to make such payment as outlined herein, then H-P Properties/All Star, LLC may file a motion on shortened notice requiring the Debtors to appear and show cause why such payment has not been made, and the Court at such

ORDER ECF Docket No. 21 - 2

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1 hearing may grant an Order for immediate relief from the stay, upon failure of Debtors to show
2 adequate cause for failing to make such payment.

3 5. Entry of this Order is without prejudice to H-P Properties/All Star, LLC asserting its
4 claims for pre-petition rent, real estate taxes, insurance, late fees, as well as costs and reasonable
5 attorneys' fees, in the above-entitled case, and such right is expressly reserved (together with the
6 Debtors' right to object to same).

7 ~~6. The issue of whether "Stub Rent" ("the rent for the interim period between the day the~~
8 ~~order for relief was entered in the bankruptcy case and the end of that month is part of any~~
9 ~~amount to be required to be paid on assumption of the unexpired lease is not addressed in this~~
10 ~~Order, and any issues in this area are expressly reserved.~~

11 7. Pursuant to 11 USC §365 (d) (3), H-P Properties/All Star, LLC may make a motion to
12 compel payment for any other monetary sum which becomes due under the terms of the subject
13 unexpired lease, including but not limited to, any insurance premiums which become due during the
14 pendency of this bankruptcy proceeding and any additional CAM charges which become due.

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ORDER ECF Docket No. 21 - 3

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